
**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH**

UNITED STATES OF AMERICA,

Plaintiff,

v.

JASON DWAYNE WATSON,

Defendant.

**MEMORANDUM DECISION AND
ORDER**

Case No. 1:17-CR-00004-DAK

Judge Dale A. Kimball

This matter is before the court on Defendant's Motion for Modification to Restitution. In the Motion, Defendant seeks to add a victim to the restitution list in this case. That victim is a complainant in a state criminal case brought against Defendant by the District Attorney's Office in Riverside, California, and the United States was unaware of that victim until Defendant was charged by the Riverside DA's office. Defendant was charged in California after he had already entered into his plea agreement but before his sentencing. After he was charged but still before this court sentenced him, Defendant attempted to add the California victim to this federal case in an attempt to "settle" the California charges. Yet, adding the California victim to this case does nothing to resolve Defendant's pending California case; Defendant will still be required to take part in all the proceedings regarding the California case.

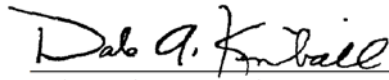
Although Defendant seeks to add the California victim here, the exact restitution amount and associated victim list were agreed to by all the parties as a part of Defendant's plea agreement. While the court does have authority to alter restitution judgments under certain circumstances pursuant to 18 U.S.C. § 3664, the court concludes that those circumstances do not

exist here, especially because the United States has never provided the court with any evidence regarding the California victim. The court thus concludes that it would be improper to alter Defendant's restitution list in this case.

Therefore, Defendant's Motion for Modification to Restitution is DENIED.

Dated this 28th day of October, 2019.

BY THE COURT:

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DALE A. KIMBALL,
United States District Judge